IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.210 OF 2006

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OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

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Mr S.S. Patwardhan for the Appellants.
Mr N.D. Hombalkar for the Respondent Nos.8A, 8B, and 8C.

CORAM : A. S. OKA, J.
DATE : MARCH 18, 2006.

P.C.:

1. The Second Appeal is filed by the original Plaintiffs. Shri Patwardhan appearing for the Appellants submitted that a clear substantial question of law arises as regards power of the court under Order 41 Rule 33 of the Code of Civil Procedure, 1908.

2. Shri Hombalkar appearing for the Respondent Nos.8A, 8B and 8C has invited my attention to order dated 30th March, 2005 passed by this Court in Second Appeal No.330 of 2005. By the said order, Appeal preferred by the Respondent Nos.8A, 8B and 8C against the same impugned Judgment and Decree has been dismissed on merits. Thus, there is confirmation of the impugned Judgment and Decree by this Court in Second Appeal No.330 of 2005.

3. In view of this position, there is no merit in the Second Appeal and the same is dismissed.

JUDGE